

Senate of the United States for determination as to the constitutionality of the law. Several members of the convention held the opinion that the State of Maryland had entire control over the whole subject of the election of United States senators, except so far as limited by the Federal Constitution, which provides that the election of United States senators shall be by the state legislatures.⁵⁴

Other members of the convention contended that districting the State into senatorial districts would be a violation of the Federal Constitution by adding other qualifications for United States senators than that provided for by the Constitution of the United States. They argued that if the legislature could restrict the selection of United States senators to a district, it could equally restrict the selection to a certain county, or city, and as a logical deduction the legislature had the authority to restrict the selection of senators to a certain party, or class.

Mr. Bowie, of Prince George's county, moved an amendment to the 24th section of the legislative report, making it obligatory upon the General Assembly to lay off six United States senatorial districts. Mr. Bowie said that it was of great importance to the agricultural portions of the State that they should be represented in the Senate of the United States, and should not always be overruled by the commercial interest. In the Senate of the United States, above all places, could agriculture be fostered and protected.⁵⁵

Another able defender of the proposition for districting the State for United States senators was found in Mr. T. H. Hicks: "a feeble representative of the Eastern Shore" as he called himself. Mr. Hicks said he did not profess to be versed in the law; but he did profess to have some common sense, and to understand to some extent the rights of the people of Maryland. "Were the people of the Eastern Shore," he asked, "to be retained as men

⁵⁴ U. S. Constitution, art. i, sec. 3.

⁵⁵ Debates, vol. ii, p. 259.